EXHIBIT H

Dockets.Justia.com

TUCKERMAX.COM

Tucker Max 01-09-2006 07:00 PM

The End of the TMMB

Oh boy...

http://news.com.com/Create+an+e-ann..._3-6022491.html

drunkasaurusrex 01-09-2006 07:04 PM

there's no way this is real based on this passage alone:

Quote:

> Originally Posted by **article**
> *He's right. Our esteemed politicians can't seem to grasp this simple point, but the First Amendment protects our right to write something that annoys someone else.*
>
> *It even shields our right to do it anonymously. U.S. Supreme Court Justice Clarence Thomas defended this principle magnificently in a 1995 case involving an Ohio woman who was punished for distributing anonymous political pamphlets.*

Clarence Thomas isn't capable of doing anything magnificently on the bench. Pure fiction.

Lorelei 01-09-2006 07:06 PM

Quote:

> Originally Posted by **Tucker Max**
> *Oh boy...*
>
> *http://news.com.com/Create+an+e-ann..._3-6022491.html*

So...if we change our board names to our actual names we're fine? This is bullshit. Also, I like how "annoy" is not defined and the wording says "his identity"... so all females are okay?

Slarvey 01-09-2006 07:11 PM

Quote:

> Originally Posted by **Lorelei**
> *So...if we change our board names to our actual names we're fine? This is bullshit. Also, I like how "annoy" is not defined and the wording says "his identity"... so all females are okay?*

First "obscene" and now "annoy". Let's see the courts have fun with this one. Drex, did you hear that knock at your door....

J. Galt 01-09-2006 07:11 PM

Quote:

> Originally Posted by **drunkasaurusrex**
> *Clarence Thomas isn't capable of doing anything magnificently on the bench. Pure fiction.*

God I hope you are right. At present, I cannot afford to move to another country.

Would it be possible to start a new thread about all the shit the government is doing to make it seem like being an American is like being in a wheelchair?? (personal rants I guess) I am an architecture student in Boston and the law/regulations nowadays are so fucking insane and illogical it is not even worth living/working in the US. (e.g. In many major cities it is illegal to design railings with horizontal bars because it creates a 'ladder effect' and will encourage children to climb, fall, and die. And glass staircases, forget it)

bcarlzson 01-09-2006 07:24 PM

Quote:

> Originally Posted by **article**
> *"Preventing Cyberstalking."*

Wow, think about all the crazies hunting down all the posts from the boobie thread because real names have to be posted.

Rick James's Bitch 01-09-2006 07:28 PM

IamRob, quick, change your sig before they find out it's you and ship you to Gitmo!

TJay

01-09-2006 07:29 PM

I'm curious, how exactly are they planning to enforce this.. set up a hotline so you report your red dots and hurtful comments? Perhaps Mr. Bush has seen one to many flash animations featuring him and his colleagues.

Slarvey

01-09-2006 07:35 PM

Quote:

> Originally Posted by **Lorelei**
> *Honestly- how do they enforce every other type of civil suit? YOU HAVE TO FILE SUIT. Idiot.*
>
> *Also, this is not the "I don't know anythign about law so I'm going to ask general questions here" thread.*

Then I shouldn't ask a question? But seriously they're making it a Federal crime, not a tort. So a prosecutor could bring charges against someone. It's impossible to enforce and should be too vague of a term to withstand challenge.

cfs

01-09-2006 07:36 PM

Ah, more pandering to idiotic special interests from our benevolent overlords. We can't have people making fun, or, jebus forbid, *annoying* each other.

Nah, it's not motivated by evil. Some dipshit politician who doesn't have a clue thought that some 'get tough' measure on 'cyberstalking' would play well with his constituents, and this abortion of too-general legislation is the result. Happens with distressing regularity, and is usually shot down just as quickly.

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Lorelei 01-09-2006 07:37 PM

Quote:

> Originally Posted by **Slarvey**
> *Then I shouldn't ask a question? But seriously they're making it a Federal crime, not a tort. So a prosecutor could bring charges against someone. It's impossible to enforce and should be too vague of a term to withstand challenge.*

And this is why I got a C+ in Con Law. At least I caught the vagueness. God I hate law school.

pwj 01-09-2006 07:37 PM

Or the beginning of the TMMB.

Who wants to be the test case?

freefall 01-09-2006 07:42 PM

Yet one more silly law that the ACLU will challenge the constitutionality of. I kinda hate myself for saying this but....I hope the ACLU gets it struck down. What a waste of our taxes

shotglass 01-09-2006 08:11 PM

This kind of law is totally absurd. It is also a total waste of taxpayer money that could be going to a more reputable cause. Since they can't possibly crack down on everybody who is "annoying" other people, the first people that will get the hammer are people who "annoy" the government. Utter horseshit.

not_quite_right 01-09-2006 08:16 PM

Let's all have a big wave goodbye to free speech!!!
Because this is only the first nail in the coffin, you can bet your ass on that.

I don't even care if this gets deleted for not contributing anything. I'm just so fucking frustrated.

CanadianDissident

01-09-2006 08:16 PM

Leave the Wahooings to canadian members. I would like to see them try and extradite me for this. Much the same way I would like to see Canada get a hold of Tucker for publishing the name of the underaged canadian killer whores.

IamRob

01-09-2006 08:17 PM

Quote:

> Originally Posted by **pwj**
> *Or the beginning of the TMMB.*
>
> *Who wants to be the test case?*

Well I already have the guinea part down, I may as well go for the pig.

I'm targeting AD3. It's an easy target with a higher percent chance of action against me.

...and so much for our Trannie Wahoo.

Scotto

01-09-2006 08:20 PM

So where would that leave someone like me, a resident of a foreign country posting on an American message board? Would I be liable to prosecution under this law (if they ever got around to prosecuting people) even though I am sitting in Australia at my keyboard?

Come get me now, bitches!

PeteWitt54

01-09-2006 08:27 PM

Jesus H. Christ. This is the perfect commentary on our society. No one can take a fucking joke anymore. You have to be "PC" all the time, heaven forbid you "offend" someone. Now you can't even make fun of some douchebag through a series of inflammatory e-mails? Lighten up, assholes.

St. Jimmy

01-09-2006 08:31 PM

You know what this is? Some 13 year old cheerleader in Who gives a fuck, montana killed herself because some bitch called her fat on her livejournal or something. A bunch of housewives got together an "anti-cyberbullying" bill and bitched until the cows came home and then bitched to the cows.

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Lasersailor184

01-09-2006 08:31 PM

And here I was thinking that the government would take away free speech only after they took away america's guns.

sliderusher

01-09-2006 08:31 PM

This Could Get Interesting...

Quote:

> Originally Posted by **Lasersailor184**
> *And here I was thinking that the government would take away free speech only after they took away america's guns.*

Oh no, guns are a no-no.

Oy vey! If I want a gun, I'll have a gun. If I want to write posts with a pen name, something people have been doing forever...then I'll do it.

America: Land of the "free".

Now I must go write a letter Mr. Bush and friends...I think I shall use a pen name. Hehe.

leavemealone

01-09-2006 08:32 PM

Aha! Now I know why Arlen Specter got invited to all those Renamity parties! Could it be... bribery of your local politician? Its the only way AD3 can get back at the TMMB..

mday

01-09-2006 08:34 PM

This prohibition IS signed by the man that said there should be limits on personal freedom based on this site's criticism of him:

http://www.gwbush.com/multimedia/index.shtml

The site has been down for some time now but I'm sure there are cached versions out there. The site that it redirects to tells the short story of what happened to the previous site.

I think that little Georgie thought this would be a good way to stop the overwhelming annoyance he has while surfing the web. Just type 'George Bush' into google and you'll see that 2 or 3 of the sites on the first page make fun of him. Type "George Bush sucks" in quotes and you'll see more than 16,000 pages talking shit about him.

When I do the same search for "Tucker Max sucks", I only get 45 results. My favorite out of that list is: "I hope he dies of gaunaria and burns in hell"

Lucky for me, my username is almost my real name. I have nothing to hide.

Side note: Read the last paragraph of Maddox's article:

http://www.thebestpageintheuniverse...mits_to_freedom

Wes

01-09-2006 08:47 PM

That pesky Constitution kind of gets in the way of this "law". Fuck these idiots who pushed for the law to pass in the first place. Also define "real name". Does it have to be the person's full name? Last name? First Name? Does my username cover it since it is a short version of my real first name? Another case of going overboard on being PC.

I didn't throw Iraqis in jail when they annoyed me in Baghdad, I'll be damned if we throw American citizens in jail because little Johnny hurt little Sally's feelings using a pen-name.

I hate stupid people.

Lalor

01-09-2006 08:49 PM

DaddyIssuesLOLZ: hey fggt, did u red dot me?!?!?
Justin Lalor: Uh, no.
DaddyIssuesLOLZ: Yep, i think u did. u alwayz be doin this, but never leave yo name. pussy ass bitch.
Justin Lalor: I think you're mistaken.
DaddyIssuesLOLZ: i think i are is gunna have u arrested. dont fuck wit me.
Justin Lalor: Ohnoz. ;[

Maybe I'm just completely ignorant to how this law is going to be put into practice, but seriously....how the FUCK is this going to be put into practice? Is AOL, Usenet, etc, etc just going to hand over account information to the police everytime some teenage girl gets annoyed by old men pestering her to get naked? How does one decide what is annoying and what isn't?

This reminds me of when there was a crack down on rock lyrics, saying they furthered interest in incest, caused kids to kill themselves, etc, and there was an effort to have every song screened by the government to decipher what is detrimental to society and what isn't.

I just don't see how this is even remotely plausible on a wide scale. Can anyone here explain just how this would be executed?

mav_ian

01-09-2006 08:49 PM

Quote:

> Originally Posted by **St. Jimmy**
> *A bunch of housewives got together an "anti-cyberbullying" bill and bitched until the cows came home and then bitched to the cows.*

I thought they were the cows.

markellm 01-09-2006 09:03 PM

Looks like Dimeo has a shiny new toy...

Slarvey 01-09-2006 09:04 PM

Quote:

> Originally Posted by **markellm**
> *Looks like Dimeo has a shiny new toy...*

Someone got him a new glass eye? HAHAHA come get me AD3.

markellm 01-09-2006 09:43 PM

Quote:

> Originally Posted by **Slarvey**
> *Someone got him a new glass eye? HAHAHA come get me AD3.*

He has to be a droid. No way can someone ALWAYS have the same facial expression.

Focus:

How can they track who's annoying someone if it's anonymous? Is this where IP addresses come in?

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NavyPilot 01-09-2006 09:58 PM

Quote:

> Originally Posted by **Wes**
> *That pesky Constitution kind of gets in the way of this "law". Fuck these idiots who pushed for the law to pass in the first place. Also define "real name". Does it have to be the person's full name? Last name? First Name? Does my username cover it since it is a short version of my real first name? Another case of going overboard on being PC.*
>
> *I didn't throw Iraqis in jail when they annoyed me in Baghdad, I'll be damned if we throw American citizens in jail because little Johnny hurt little Sally's feelings using a pen-name.*
>
> *I hate stupid people.*

You still got to watch what you say. Seems we can get court martialed now for annoying our civilian leadership who might be reading this site.

And since when does anyone in Washington care about the Constitution? Damnit shit like this makes me question my career decisions.

Tacitus said it right nearly two millenia ago:
Corruptisima repulica plurimae leges.
(The more corrupt the state, the more numerous the laws.)

rocketfingers 01-09-2006 11:02 PM

So, wait... can I still annoy people offline?

Timbomb 01-09-2006 11:59 PM

Well, we had a good run. Even the Nazis had to stop sometime. (That was for you, Dangerkitty). Speaking of which, where do these laws leave her and her Fourth Reich buddies?

CaptCapital 01-10-2006 12:06 AM

Sweet. Hey Crash, I totally just forwarded your profile to the Federales.

It's a good thing I'm so nice to people on here.

Animus

01-10-2006 01:14 AM

I'm glad my taxes are being well spent on prosecuting those who annoy others over the internet, it was really starting to bother me that all those poor attention whores were getting made fun of. I can not imagine a better way to spend that money.

I guess I have a couple more things to be thankful for this year: firstly, a president who understands that we have way too many liberties to begin with. As well as the passage of more laws, that go against the Constitution, so that they can get repealed in a few months.

</sarcasm>

i hate the yankees

01-10-2006 02:14 AM

Why not just piss on the Bill of Rights?

Quote:

> To grease the rails for this idea, Sen. Arlen Specter, a Pennsylvania Republican, and the section's other sponsors slipped it into an unrelated, must-pass bill to fund the Department of Justice. The plan: to make it politically infeasible for politicians to oppose the measure.

The sneaky fucking rats.

Khadgar

01-10-2006 02:40 AM

This is one more reason why they need to make it constitutional for the President to use the line item veto. Congressmen make their living off of sticking useless riders to important bills that have to pass.

Or maybe Krauthammer's suggestion is better. He said on Special Report tonight that they ought to force Congressmen to add riders 72 hours before the bill is voted on, so that bloggers and other media get a chance to cause an uproar over this bullshit.

pwj

01-10-2006 09:26 AM

For those who hear the clunk of the jackboot, Orin Kerr over at the normally-pro-First-Amendment (though often otherwise "conservative") Volokh Conspiracy has a pretty good explanation about the history of this law and how it should be interpreted:

http://www.volokh.com/posts/1136873535.shtml

Tucker Max

01-10-2006 09:28 AM

Quote:

> Originally Posted by **pwj**
> *For those who hear the clunk of the jackboot, Orin Kerr over at the normally-pro-First-Amendment (though often otherwise "conservative") Volokh Conspiracy has a pretty good explanation about the history of this law and how it should be interpreted:*
>
> *http://www.volokh.com/posts/1136873535.shtml*

I like having smart people around.

El Tee

01-10-2006 09:49 AM

Quote:

> Originally Posted by **IamRob**
> *I'm targeting AD3. It's an easy target with a higher percent chance of action against me.*

I can't wait to see this:

Chief Justice Roberts: Representing the plaintiff DiMeo, the court recognizes the esteemed Mr...."Hammer", from Philadelphia? Are you fucking kidding me? What kind of lawyer calls himself "Hammer"? Fuck this...summary judgment entered for Mr. IAmRob. Now, get that lazy eyed freak and his hack lawyer the fuck out of my courtroom!

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JerseyDave

01-10-2006 10:27 AM

At least it explains why I haven't seen Rosie O'Donnell's fat ass recently.

Dilbert3204

01-10-2006 12:08 PM

So its ok for Washington State politicians to blatantly lie in campaign ads, but I can't annoy someone on the internet.

Also, my birth name is Brian, but nearly everyone calls me Dilbert. Isnt what everyone calls me then my "real" name?

Shock

01-10-2006 12:32 PM

Quote:

> Originally Posted by **Dilbert3204**
> *Also, my birth name is Brian, but nearly everyone calls me Dilbert. Isnt what everyone calls me then my "real" name?*

I'm calling you Ass Bandit from now on for that picture in your avatar.

JohnFranco

01-10-2006 12:47 PM

I laughed hysterically at the top stories on the side. Instant Messaging Attacks were on the rise in 2005.

I don't know what's more humorous, the fact that someone wrote that, or that so many people felt so victimized by being insulted via Instant Messenger that there are actual statistics on the rise. Too much concern for e-harassment, when people are still getting shot and killed in the streets.

sliderusher

01-10-2006 12:52 PM

Ok well I guess I can still "Annoy" people as long as they know my real name.

It's Shannon. That's all you need to know.

Wow. That was easy!

Oh and I also vote we pick a smart guy to rule next time. At lest make sure he has more brain cells then the cows on his ranch.

Slam321 01-10-2006 12:58 PM

Quote:

> Originally Posted by **not_quite_right**
> *Let's all have a big wave goodbye to free speech!!!*
> *Because this is only the first nail in the coffin, you can bet your ass on that.*
>
> *I don't even care if this gets deleted for not contributing anything. I'm just so fucking frustrated.*

The first nail?

edit- that was sarcasm

sliderusher 01-10-2006 01:05 PM

Quote:

> Originally Posted by **Slam321**
> *The first nail?*

He means that they are just going to keep making more dumb ass laws until the land of the "free" becomes the land of no freedom.

m222m 01-10-2006 01:09 PM

I think Fahrenheit 9/11 captured Congress/The Sentate best when John Conyers said: "Sit down, my son. We don't read most of the bills."

DoctorGonzo 01-10-2006 01:52 PM

At the risk of 2 years in jail, I ask this annoying question of people smarter than me:

Aren't Republicans traditionally against these types laws that have the government interfering in people's lives and freedoms?

Or is this a law that's been passed specifically so George Bush can go after people who are annoying HIM on the internet?

Sivlitz

01-10-2006 02:05 PM

Look, I'm not a legal expert by any stretch but I'm pretty sure the rending of garments and gnashing of teeth from those worried about what it means for them is unnecessary. For those that were too lazy to click on PWJ's link, let me quote from it:

Quote:

> Originally Posted by **PWJ Article**
> *It turns out that the statute can only be used when prohibiting the speech would not violate the First Amendment. If speech is protected by the First Amendment, the statute is unconstitutional as applied and the indictment must be dismissed.*

In other words, CALM THE FUCK DOWN AND STOP FUCKING WORRYING.

I can't say what Tucker's motivation for posting this thread was but I'm guessing it was tongue in cheek...

Edit: someone repped me with the comment that it wasn't the law that concerned him but the reasoning behind the law. Again, from the article:

Quote:

> That brings us to the new law. The new law simply expands the old law so that it applies to the Internet as well as the telephone network.

The "old law" in question is a telecommunications statute that dates back to 1934. In other words, they simply amended a law that already existed so that it now applies to the internet as they had no knowledge of the internet in 1934.

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jamaicaphooey

01-10-2006 06:06 PM

Quote:

> Originally Posted by **Sivlitz**
>
> ....
>
> *The "old law" in question is a telecommunications statute that dates back to 1934. In other words, they simply amended a law that already existed so that it now applies to the internet as they had no knowledge of the internet in 1934.*

When a law is amended to keep up with technology, that usually opens up a can of worms, in regards to provisions that will need to be specified and made. It's much easier to get an anonymous account on the internet, with the intent to annoy, than it is with any other system of telecommunications (which the old law covers), thus making the law harder to enforce. This means1 of 2 things: the Government will work even harder to enforce these vague laws, or they will eventually amend the law even more to make a sweeping strike of what is and is not prohibited, in specific terms....and as history reveals, the Government is pretty proactive in limiting our civil liberties and constitutional "rights."

Why do you think the Bill of Rights is so vague to begin with?

pwj

01-10-2006 06:43 PM

Apparently I was not clear.

The substance of the law has been on the books for 70 years. The Republic did not fall. It will not fall now. Indeed the reason that the law is worded the way it currently is is because the First Amendment had a MUCH narrower interpretation until about 60 years ago. We're living in a rather halcyon era of civil liberties, constant carping from the ACLU (which I in many ways admire) aside. And by the way, the old law's application to phones is pretty much as restrictive as expanding it to the internet. Believe it or not, there was a time, back in the dark ages of the 1980s, when phones were about the only way to communicate (and technically, this amendment is largely a gap-filler, to make clear that it would apply to e-phones as well).

At any rate this expanded understanding is why the DC Circuit interpreted the law incredibly narrowly, which is what Courts do in this situation. Its hard to imagine the law being enforced unless accompanied by some overt act that would be a crime on its own.

BTW, if you click on my links, you'll see that the DC Cir. case arose from someone making threatening phone calls to a US Attorney. So unless you're dumb enough to threaten the federal equivalent of a DA, you should be fine.

SO CALM THE FUCK DOWN!

Slarvey 01-10-2006 06:47 PM

Quote:

> Originally Posted by **pwj**
> *Apparently I was not clear.*
>
> *SO CALM THE FUCK DOWN!*

I don't get it. Are we all going to jail or not? Because if we are, I have to make arrangements.

Tucker Max 01-10-2006 06:50 PM

Quote:

> Originally Posted by **pwj**
> *Apparently I was not clear.*
>
> *SO CALM THE FUCK DOWN!*

But PWJ, I still don't get it. What if my screenname is just my first name? Am I OK then? What if it's my last name? What if my friend sucks off a goat and then he spits the cum in the face of his dog, and writes about, and uses the real name of the goat but a fake name for the dog, because you know, the dog gets embarassed easily. What then?

pwj 01-10-2006 06:51 PM

PS

For those who wish to remain convinced that Chimpy McHitler is just trying to take away their rights with the aid of his number one henchman, that most loyal Republican Arlen Specter, here's Eugene Volokh's view of the matter, which is much more concerned:

http://www.volokh.com/posts/1136923654.shtml

jamaicaphooey 01-14-2006 11:24 AM

Will we actually get to put the amendment to the test?

http://abclocal.go.com/ktrk/story?s...ocal&id=3810084

Canada_Girl

01-14-2006 12:37 PM

Quote:

> Originally Posted by **jamaicaphooey**
> *Will we actually get to put the amendment to the test?*
>
> *http://abclocal.go.com/ktrk/story?s...ocal&id=3810084*

From the article:

Quote:

> "I wanted to communicate what was going on in the community," Calvin said.
>
> But as he continued to blog Calvin started using other screen names. 'Jane L', 'Buddy J', 'Jim Calhoun 1' - dozens by the time it was done. He admitted using 24 names. And that was when Sienna Plantation's developer had enough.
>
> Sienna Plantation Attorney John Keville explained, "Chris Calvin can say any opinion he wants as long as he puts his name on it. Chris Calvin can't be a mob of 30 people."
>
> It's the power of the Internet as an equalizer the developer says that forced them to sue. They admit much of what Calvin wrote was true or his opinion. But they say he deceived Internet readers when he created the sense that so many people shared his opinion.
>
> "If it's one person saying it, let it be one person saying it," said Keville.

This sounds familiar to Tucker's salary increase at Fenwick.

I can finally say this too: I am so glad to be in Canada. Otherwise, I'd be stuck with 'Canada_Girl' for the rest of my natural life.

mrjake

01-14-2006 01:00 PM

The Law of Unintended consequences couldn't come more into play here.

This law basically says, on it's face, that I can not run a blog that annoys people, such as murderingwhores.com. However, those annoyances result in threats to myself and those who comment there. Thus, it puts me at substantial risk of bodily harm to let my name be widely known.

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